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8		RE THE
9	BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS	
10	STATE OF C	CALIFORNIA
11	In the Matter of the Statement of Issues	Case No. 2013 - 719
12	Against:	
13	RAJINDERPAL KAUR GURM	STATEMENT OF ISSUES
14	Registered Nurse License Applicant	
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15	Respondent.	
15 16	Respondent.	
	Respondent.  Complainant alleges:	
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16 17 18 19 20	Complainant alleges:  PAR  1. Louise R. Bailey, M.Ed., RN (Compler official capacity as the Executive Officer of the Consumer Affairs.	lainant) brings this Statement of Issues solely in
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16 17 18 19 20 21 22	Complainant alleges:  PAR  1. Louise R. Bailey, M.Ed., RN (Complete official capacity as the Executive Officer of the Consumer Affairs.  2. On or about October 3, 2011, the Both Consumer Affairs received an application for a Foundation for a Fo	lainant) brings this Statement of Issues solely in the Board of Registered Nursing, Department of eard of Registered Nursing, Department of
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16 17 18 19 20 21 22 23 24 25 26	Complainant alleges:  PAR  1. Louise R. Bailey, M.Ed., RN (Completer official capacity as the Executive Officer of the Consumer Affairs.  2. On or about October 3, 2011, the Bourd Consumer Affairs received an application for a Final Rajinderpal Kaur Gurm (Respondent). On or about Certified under penalty of perjury to the truthfulner representations in the application. The Board design of the second consumer of the second consumer Affairs received an application of the second certified under penalty of perjury to the truthfulner representations in the application. The Board design of the second certified under penalty of the second c	plainant) brings this Statement of Issues solely in the Board of Registered Nursing, Department of eard of Registered Nursing, Department of Request for Reapply/Repeat Examination from out September 27, 2011, Rajinderpal Kaur Gurm eess of all statements, answers, and

## **JURISDICTION**

- 3. This Statement of Issues is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
  - 4. Section 2761 of the Code states, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- "(a) Unprofessional conduct . . . ."
- 5. California Code of Regulations, title 16, section 1444, subdivision (c), states, in pertinent part:

"A conviction or act shall be considered to be substantially related to the qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the present or potential unfitness of a registered nurse to practice in a manner consistent with the public health, safety, or welfare. Such convictions or acts shall include but not be limited to the following:

"(c) Theft, dishonesty, fraud, or deceit.

## CAUSE FOR DENIAL OF APPLICATION

(Unprofessional Conduct: Dishonest Act)

- 6. Respondent's application is subject to denial under section 2761, subdivision (a), in conjunction with California Code of Regulations, title 16, section 1444, subdivision (c), in that Respondent has engaged in unprofessional conduct by committing a dishonest act. The circumstances are that as follows:
- a. On or about August 25, 2011, Respondent was arrested by officers of the Bakersfield Police Department for petty theft after she and a companion shoplifted items totaling \$110.00 from a J.C. Penney department store.
- b. On or about September 16, 2011, in the criminal proceeding entitled *The People of the State of California v. Rajinderpal Kaur Gurm* (Super. Ct. Kern County, 2011, No.

1	BM792785B), Respondent entered a plea of no contest and was found guilty of violating Penal	
2	Code Section 488 [Petty Theft]. Judgment was deferred pursuant to a plea agreement, however,	
3	and Respondent was allowed to enter a Deferred Entry of Judgment Program. Upon her	
. 4	successful completion of that program, on or about December 16, 2011, Respondent was	
5	permitted to change her plea to not guilty, and the case was dismissed pursuant to Penal Code	
6	section 1203.4.	
7	<u>PRAYER</u>	
8	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,	
9	and that following the hearing, the Board of Registered Nursing issue a decision:	
10	1. Denying the application of Rajinderpal Kaur Gurm for an Applicant for Registered	
11	Nurse License;	
12	2. Taking such other and further action as deemed necessary and proper.	
13	DATED: MARCH 5, 2013 Louise L. Bailey	
14	LOUISE R. BAILEY, M.ED., RN Executive Officer	
15	Board of Registered Nursing Department of Consumer Affairs	
16	State of California  Complainant	
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